

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

YAHCHANAN, a/k/a JOHN THOMPSON,      No. 09-11084  
Plaintiff,      District Judge Bernard A. Friedman  
v.      Magistrate Judge R. Steven Whalen  
FOOTE HOSPITAL, ET.AL.,  
Defendants.

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**SUPPLEMENTAL ORDER DIRECTING MARSHAL'S SERVICE**

Plaintiff, a prison inmate in the custody of the Michigan Department of Corrections (MDOC), has filed a *pro se* civil rights complaint. Before the Court at this time is his Motion to Amend Complaint for the Purpose of Allowing Two New Defendants to be Served by the U.S. Marshal's Office [Docket #8].

Under Fed.R.Civ.P. 15(a), "[a] party may amend the party's pleading once as a matter of course at any time before a responsive pleading is served...." No responsive pleadings have been filed in this case; therefore, to the extent that Plaintiff's motion seeks leave to amend his complaint, it is unnecessary, and the amended complaint (attached to Plaintiff's motion) will be accepted for filing. However, I will construe the motion as one for Marshal's service on the two new Defendants: Correctional Medical Services (CMS) and the MDOC, and GRANT the motion on that basis. Accordingly,

IT IS ORDERED that Plaintiff's amended complaint, attached to Docket #8, shall be docketed;

IT IS FURTHER ORDERED that Plaintiff shall, within 21 days of the date of this Order, send to the Clerk of the Court two (2) additional copies of the amended complaint,

for service by the U.S. Marshal.

IT IS FURTHER ORDERED that the United States Marshal shall serve copies of the summons and amended complaint on Defendants Correctional Medical Services and Michigan Department of Corrections.

S/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: June 17, 2009

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on June 17, 2009.

S/G. Wilson  
Judicial Assistant